

CITY OF RENO

Planning Commission

December 2, 2010

Staff Report

Agenda #

V1-1

Ward #

3

CASE NO.: LDC11-00021 (Reno VOA Elderly Housing Variance)

APPLICANT: Reno Volunteers of America (VOA)

APN NUMBER: 008-073-08

REQUEST: This is a request for a variance to allow for shading of parkland otherwise restricted in RMC Section 18.12.301(c) "Shading of Parks and Residences." This request is associated with the construction of a 40 unit residential senior housing development in the CC (Community Commercial) zone on ± 0.97 acres located between Paradise Drive and Broadleaf Lane.

LOCATION: The ± 0.97 acre site is located between Paradise Drive and Broadleaf Lane within the Northeast Neighborhood Plan.

PROPOSED MOTION: Based upon compliance with the applicable findings, I move to approve the variance to Section 18.12.301(c) "Shading of Parks and Residences, subject to conditions."

RECOMMENDED CONDITIONS OF APPROVAL:

All conditions shall be met to the satisfaction of Community Development Department staff, unless otherwise noted.

1. The project shall comply with all applicable City codes, plans, reports, materials, etc., as submitted. In the event of a conflict between said plans, reports, materials and City codes, City codes in effect at the time the building permit is applied for, shall prevail.
2. The applicant shall apply for all building permits for the project within twelve (12) months from the date of final approval, and continuously maintain the validity of those permits, or this approval shall be null and void.

BACKGROUND: This project was originally submitted as a site plan review application (SPR11-00001). During this initial plan review, the applicants were advised of several plan modifications required to meet code including demonstrated compliance with RMC Section 18.12.301(c) "Shading of Parks and Residences." The applicant has since

requested a waiver of time from the 30 day site plan review process, in part to apply for the necessary variance to this section.

ANALYSIS:

Land Use Compatibility: Surrounding land uses include an eight-story VOA senior housing center to the north (zoned CC), City owned parks and recreation facilities to the east (Master Plan land use designation of Parks/Recreation/Open Space), multifamily apartments to the south (zoned MF30 and CC) and multifamily apartments to the east (zoned MF30).

Urban Design: **Exhibits B and C** are included for spatial reference of the proposed project. This variance request is applicable only to the RMC Section cited below. The final project design and architecture must comply with applicable City codes consistent with Condition 1.

Variance Discussion: Variance to RMC Section 18.12.301(c) "Shading of Parks and Residences."

Because the proposed development is adjacent to a City park, staff requested a shadow study from the project architect to determine if any shading would occur (**Exhibit A**). The rendering illustrates a slight encroachment of building shadow on the winter solstice at 2:00 p.m. (12/21/2010), which is the period when the sun is at its lowest point of the year and casts the most significant shadows.

There are four findings that must be made by the Planning Commission (see page 3). This interior parcel features a unique shape with access constraints limiting site design to a north - south orientation (finding a). The strict application of the regulation would result in peculiar practical difficulties to the property owner as site access constraints require otherwise permitted development to straddle property lines resulting in shadowing during a short period of the winter season (finding b).

Park planning staff has reviewed the request and supports our recommendation for granting a variance to this Section of RMC. The code accounts for the "worst case scenario" of parkland shadowing on the time and day of the year with the longest shadows cast. The impact to park land, as modeled by the architect, appears minimal since the shadows cast by the proposed project will be of short duration, less than 2 hours, during the middle of winter days (finding c). Staff believes that the proposed variance is consistent with the intent and purpose of the Reno Municipal Code in accordance with finding d.

Public improvements: The requested variances would have no impact on public improvements.

Land Use Designation: The site's land use designation is Special Planning Area – Northeast Neighborhood Plan (SPA – NENP). Neighborhood plans cover areas, not in centers or corridors, which have been designated as appropriate for more detailed planning. The Northeast Neighborhood Plan identifies the site as Urban Residential/Commercial.

General Code Compliance: The applicant is applying for these variances to achieve compliance with code.

Other Reviewing Bodies: Parks, Recreation, and Community Services staff reviewed the project and indicated that the shading was sufficiently minimal to support findings 1(c).

Neighborhood Advisory Board: The Ward 3 Neighborhood Advisory Board cancelled their November meeting; however, the applicant forwarded a project information packet to the Board Chair and Vice Chair with no comments received.

AREA DESCRIPTION			
	LAND USE	MASTER PLAN DESIGNATION	ZONING
NORTH	Residential	SPA – Northeast Neighborhood Plan (Urban Residential/ Commercial)	CC
SOUTH	Residential	SPA – Northeast Neighborhood Plan (Urban Residential/ Commercial)	MF30/CC
EAST	Park	SPA – Northeast Neighborhood Plan (Parks/Recreation/Open Space)	SF15
WEST	Residential	SPA – Northeast Neighborhood Plan (Urban Residential/ Commercial)	MF30

LEGAL REQUIREMENTS:

RMC 18.06.408 Variance

FINDINGS:

Variance:

- (1) In order to approve a variance, the recommending or deciding body shall make the following findings:

- a. The property is characterized by an extraordinary or exceptional situation or condition, such as exceptional narrowness, shallowness or shape, or it has exceptional topographic conditions at the time of enactment of the regulations;
 - b. The strict application of the regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property;
 - c. Granting of the variance will not be materially detrimental to the public health, safety, or welfare, or injurious to property or improvements in the vicinity; and
 - d. The proposed variance is consistent with the intent and purpose of this title.
- (2) In granting variances, the decision-making body shall have no power to take action which has the effect of allowing a use of land in contravention of the applicable zoning district or which in any other way changes the applicable zoning district. Any action that has in effect changed the zoning district shall be deemed a violation of powers of this section and be of no force and effect.
- (3) The fact that a building exists or was constructed or expanded in a manner which does not conform with this title prior to the consideration of a variance application may not be used as a basis for the granting of a variance.

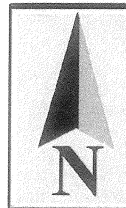
Staff: Nathan Gilbert, AICP, Associate Planner



LDC11-00021 Reno VOA Elderly Housing Variance

 Subject Site

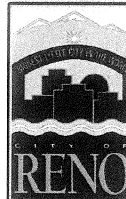
 City Limits



0 37.5 75 150 225 300 Feet

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Map Produced: November 12, 2010



Community Development
 Department

450 Sinclair Street Phone: 334-2063
 P.O. Box 1900 Fax: 334-2043
 Reno, NV 89505 www.cityofreno.com



LDC11-00021 Reno VOA Elderly Housing Variance

 Subject Site

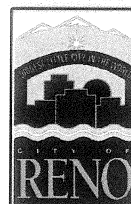
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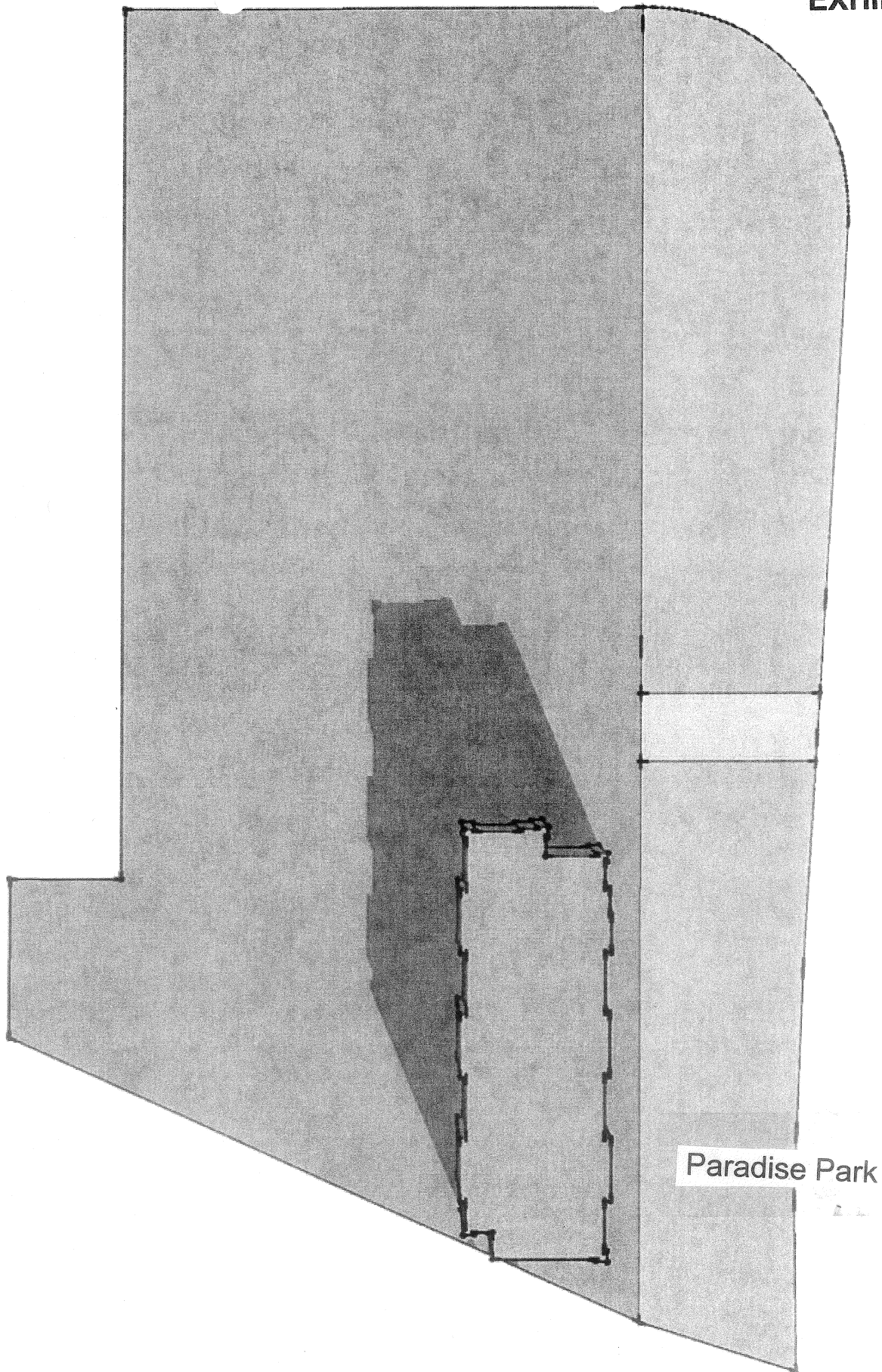
Map Produced: November 12, 2010



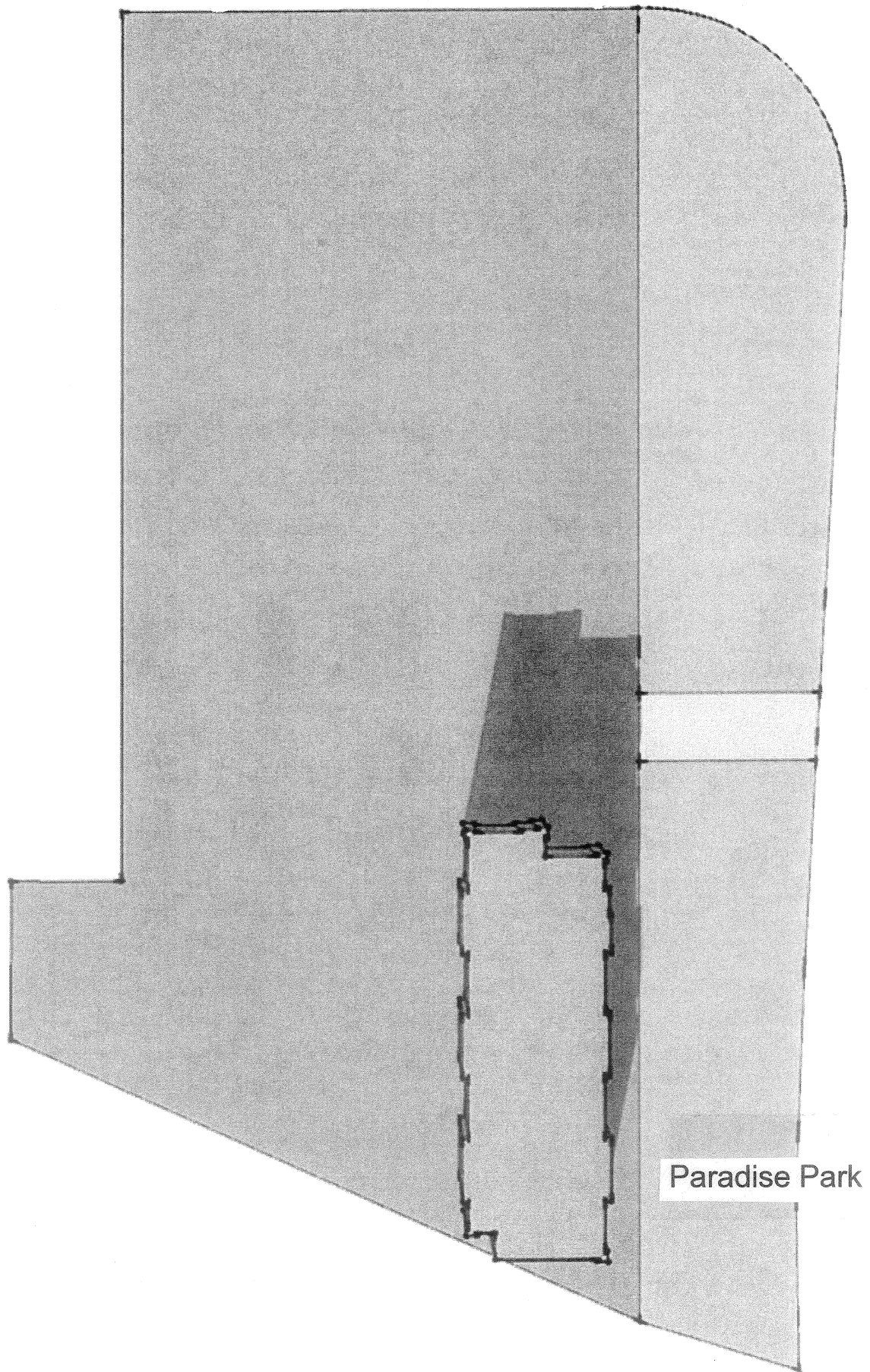
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EXHIBIT A

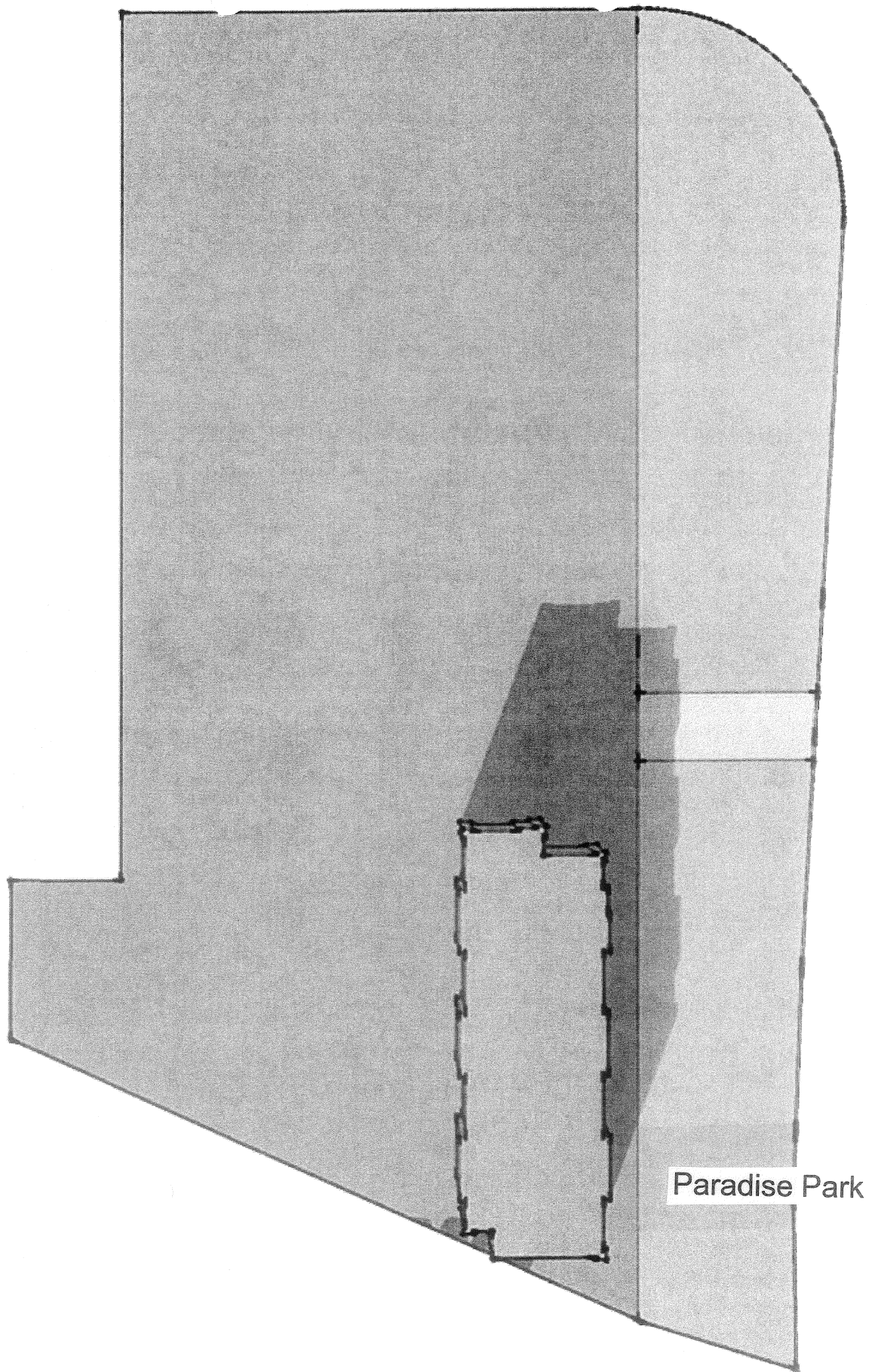


Sun Shadows at 10 A.M. on December 21st, 2010



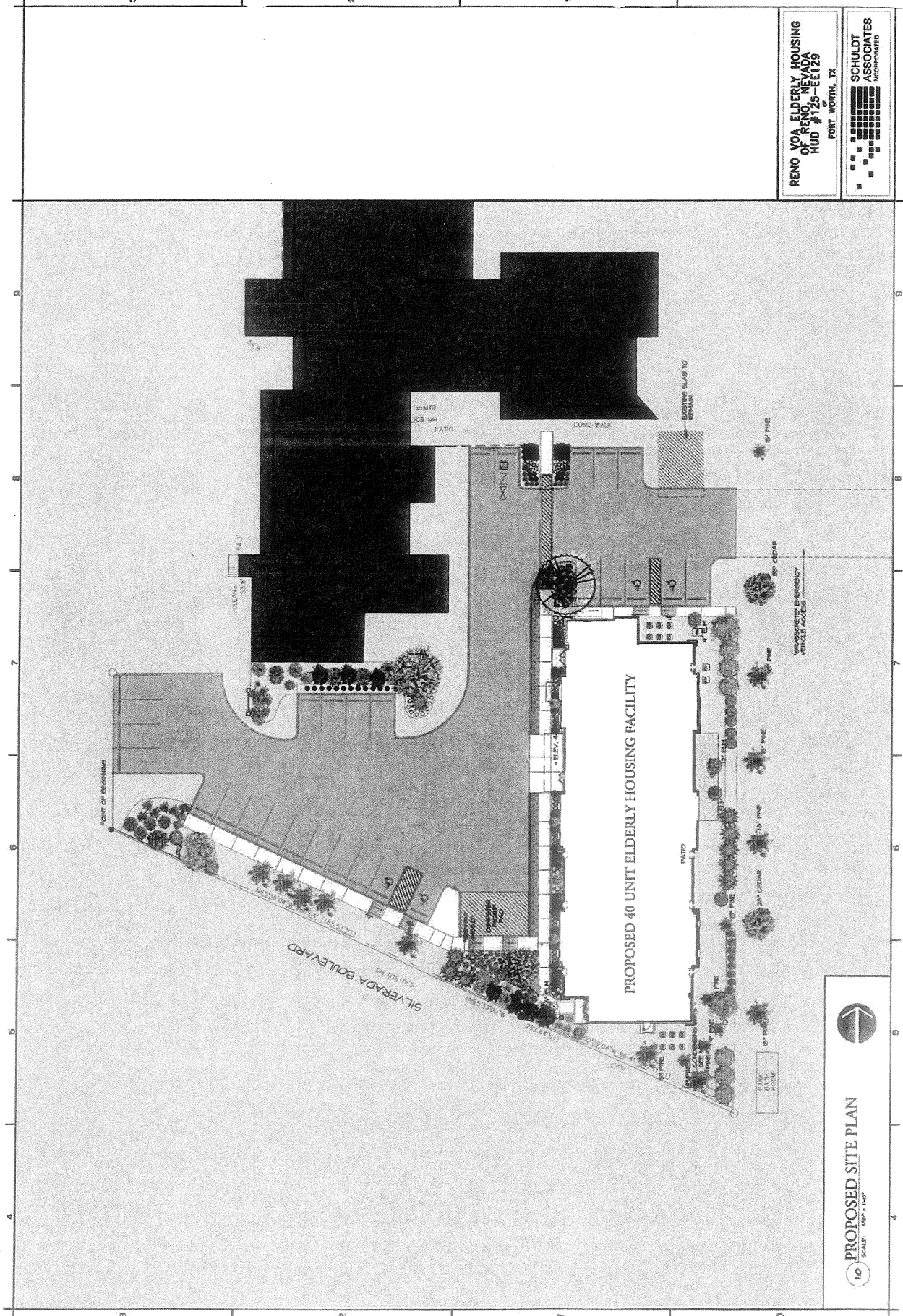
Paradise Park

Sun Shadows at 12:30 P.M on December 21st, 2010



Paradise Park

Sun Shadows at 2 P.M on December 21st, 2010

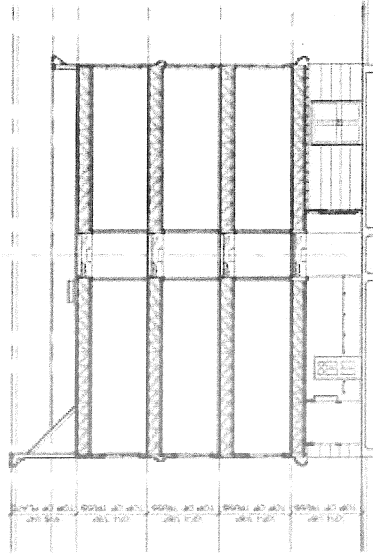


RENO VOA ELDERLY HOUSING
OF RENO, NEVADA
HUD #125-EE129
FORT WORTH, TX

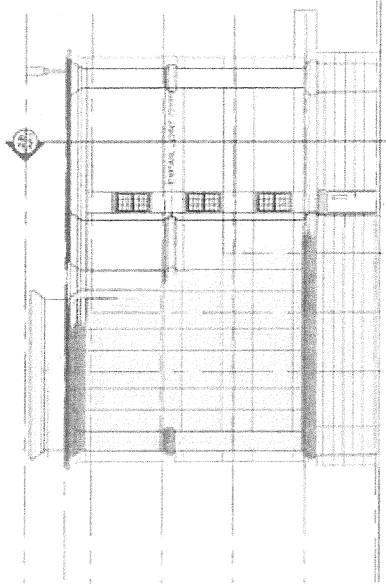


PROPOSED SITE PLAN
SCALE: 1/8" = 1'-0"

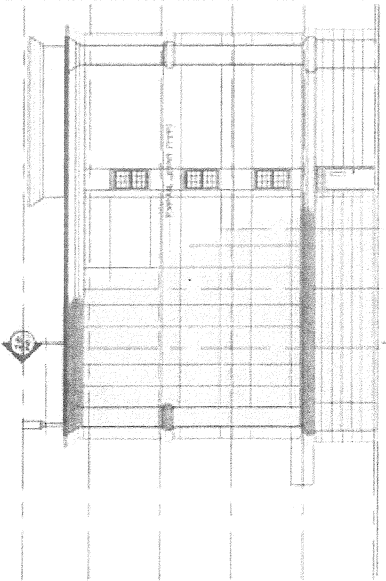
08



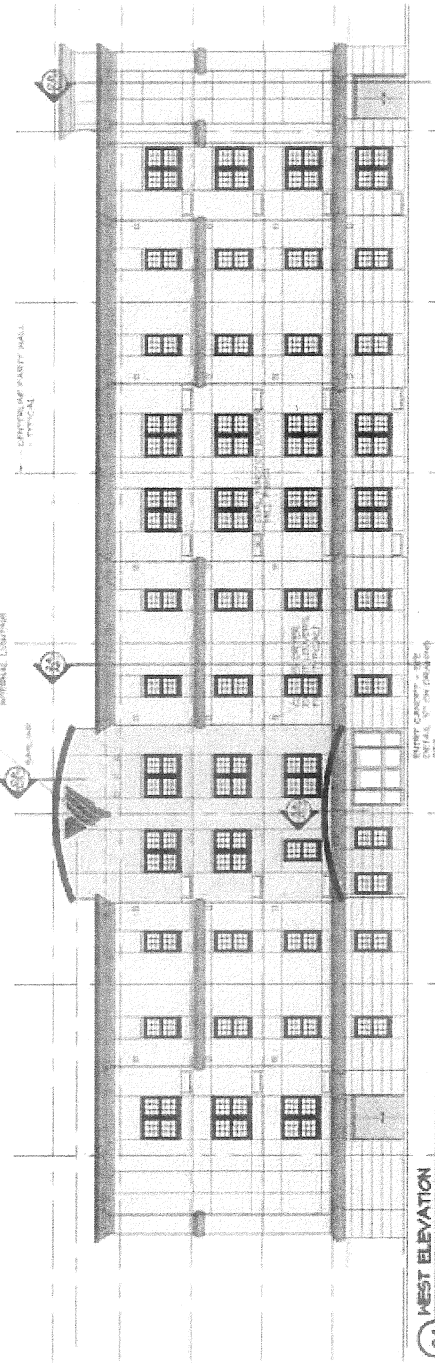
25 TRANSVERSE SECTION
SCALE: 1/8" = 1'-0"



26 NORTH ELEVATION
SCALE: 1/8" = 1'-0"



24 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



04 WEST ELEVATION
SCALE: 1/8" = 1'-0"

RENO VOA ELDERLY HOUSING
HUD #125-EE129
RENO, NEVADA

SCHULTZ ASSOCIATES
ARCHITECT

DATE	10/1/78
BY	WJ
CHECKED	WJ
PROJECT NO.	125-EE129
SHEET NO.	A5
TITLE	RENO VOA ELDERLY HOUSING
ARCHITECT	SCHULTZ ASSOCIATES
DATE	10/1/78
BY	WJ
CHECKED	WJ